

Remarks

Claims 1, 4, 8, 9, 11, 13-15, 18, and 19 are under consideration.

Claims 2, 3, 5-7, 10, 12, 16 and 17 have been canceled.

Claim 1 has been amended to incorporate the limitations of canceled claims 6 and 7 and to clarify the syntax of the claim.

Claim 8 has been amended to change its dependency from canceled claim 6 to claim 1.

Claim 9 has been amended to incorporate the limitations of canceled claim 12.

Claim 18 has been amended to clarify the syntax by replacing the phrase "that includes" by the word "with" in line three of the claim.

No new matter is added by these amendments.

Claim Objections.

Claims 1, 6, and 18 have been objected to for certain alleged informalities in the wording of the claims. Applicants gratefully acknowledge the Examiner's helpful suggestions for overcoming the objections. In response, Applicants have adopted the Examiner's suggestions regarding claims 1 and 18. Claim 6 has been canceled, and the limitation of claim 6 has been expressly included in amended claim 1.

Rejections Under 35 U.S.C. §102.

Claims 1, 4, 9, 14 and 15 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Stephens *et al.* (*J. Virology* 1998; 71(6): 5207-5214). While Applicants do not necessarily agree with this assessment, claim 1 has been amended to incorporate the limitations of claim 7, and claim 9 has been amended to incorporate the limitations of claim 12, in order to expedite prosecution. Since neither claim 7 nor claim 12 was rejected, and claims 4, 14, and 15 depend on these claims, this ground for rejection should be withdrawn.

Claims 18 and 19 stand rejected under 35 U.S.C. §102(a) as allegedly being anticipated by Manrique *et al.* (*Virology* 2004; 239: 157-167). This rejection clearly is unwarranted. The present application is the national stage of PCT/EP2003/003500, filed on

April 3, 2003, which is before the date of the applied reference. Applicants submitted an English translation of the German language PCT application in accordance with 35 U.S.C. §371(c)(2) and 37 C.F.R. §1.495(c) at the time of National Stage entry. Accordingly, the present application is entitled to an effective filing date of April 3, 2003, and this rejection should be withdrawn.

Rejections Under 35 U.S.C. §103.

Claims 1, 4, 9, 14 and 15 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Stephens *et al.* in view of Manrique *et al.* This rejection is unwarranted, since Manrique *et al.* is not available as a reference against the present claims, and Stephens *et al.* do not teach or suggest all of the limitations of the present claims.

Conclusion.

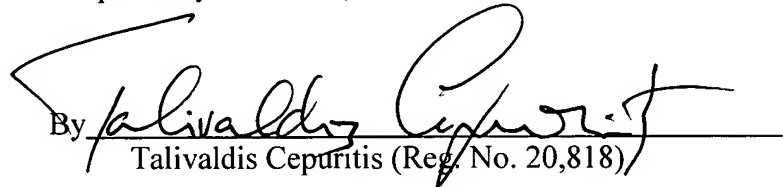
In view of the foregoing, Applicants submit that the present claims are in form for allowance. Early such action, and passage of the application to issue is solicited

Respectfully submitted,

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By


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